

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	4:03CR3161
	)	
Plaintiff,	)	
	)	<b>MEMORANDUM</b>
vs.	)	<b>AND ORDER</b>
	)	
JAMES M. MCCRIMMON,	)	
	)	
Defendant.	)	

The Court of Appeals issued a “judgment” remanding this case for sentencing. (See filings 82-1 and 82-2.) But, and despite the statement of the Court of Appeals that a “mandate” would be forthcoming, no such mandate has been issued.

A staff member from our Clerk’s office has conferred with a staff member at the Clerk’s office for the Court of Appeals. She learned that the Court of Appeals does not intend to issue a mandate, despite the Court’s contrary statement in the judgment.

Believing that I have been instructed to resentence (on grounds that are not discussed in the judgment) despite the absence of a mandate, and that I may proceed in the absence of a mandate,

IT IS ORDERED that a telephone conference will be held with counsel of record to discuss the status of this case. My chambers shall arrange the call.

January 12, 2006.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge